# EXHIBIT
# "A"

# Mississippi Electronic Courts
# Seventh Circuit Court District (Hinds Circuit Court - Jackson)
# CIVIL DOCKET FOR CASE #: 25CI1:21-cv-00370-TTG

GREER v. KROGER LIMITED PARTNERSHIP, I et al
Assigned to: Senior Circuit Judge Tomie Green

**Upcoming Settings:**

None Found

Date Filed: 06/11/2021
Current Days Pending: 63
Total Case Age: 63
Jury Demand: None
Nature of Suit: 187 Premises Liability

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**Plaintiff**

**VALLENA GREER**

represented by **Harry Merritt Mccumber**
Morgan & Morgan PLLC
4450 Old Canton Road, Suite 200
JACKSON, MS 39211
601-718-0934
Fax: 601-949-3399
Email: hmccumber@forthepeople.com
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**KROGER LIMITED PARTNERSHIP, I**

**Defendant**

**JOHN DOES**
*1-5*

| Date Filed | # | Docket Text |
|---|---|---|
| 06/11/2021 | 2 | COMPLAINT against JOHN DOES, KROGER LIMITED PARTNERSHIP, I, filed by VALLENA GREER. (Attachments: # 1 Civil Cover Sheet,) (LM) (Entered: 06/11/2021) |
| 06/11/2021 | 3 | SUMMONS Issued to KROGER LIMITED PARTNERSHIP, I. (LM) (Entered: 06/11/2021) |
| 07/21/2021 | 4 | SUMMONS Returned Executed by VALLENA GREER. KROGER LIMITED PARTNERSHIP, I served on 7/14/2021, answer due 8/13/2021. Service type: Personal (Mccumber, Harry) (Entered: 07/21/2021) |

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**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI**
**FIRST JUDICIAL DISTRICT**

**VALLENA GREER** **PLAINTIFF**

**VS.** **CAUSE NO.:** 21-370

**KROGER LIMITED PARTNERSHIP, I; AND JOHN DOES 1-10** **DEFENDANT**

# COMPLAINT
## (JURY TRIAL REQUESTED)

**COMES NOW,** the Plaintiff, Vallena Greer, (hereinafter "Plaintiff") by and through her counsel of record, and hereby files this Complaint against Kroger Limited Partnership, I, and John Does 1-10 (sometimes herein referred to as "Defendant"), and in support thereof states as follows:

## I. PARTIES

1. The Plaintiff is an adult resident citizen of Hinds County, Mississippi, and presently resides at 5330 N. State St. #C, Jackson, Mississippi 39206.

2. The Defendant, Kroger Limited Partnership I, is a Limited Partnership incorporated in the State of Ohio, and doing business in the State of Mississippi, whose agent for service of process is Corporation Service Company located at 7716 Old Canton Road, Suite C, Madison, Mississippi 39110 or wherever they may be found.

3. Defendant, John Does 1-10, are other Defendants whose names, whereabouts, and/or involvement are at this time unknown to the plaintiff but who may be added at a later date. John Does 1-10 include owners, operators, managers, and all other entities, corporate and/or individuals of the Defendant Kroger Limited Partnership, I, and/or other persons, entities, and/or corporations that were in some manner negligently and proximately responsible for the events and happening alleged in this Complaint and for Plaintiff's injuries and damages.

## II. JURISDICTION AND VENUE

4. This Court has jurisdiction of the parties and the subject matter of this action. Venue is proper as this civil action arises out of negligence acts and omissions committed in Hinds County, Mississippi, and the cause of action occurred and/or accrued in Hinds County, Mississippi.

## III. FACTS

5. The Plaintiff adopts and herein incorporates by reference every allegation as set forth above.

6. At all times mentioned in this Complaint, the Defendant managed, leased, owned and/or operated the store located at 4910 I-55, Jackson, Mississippi 39211.

7. At all times mentioned in this Complaint, the Defendant invited the general public, including the Plaintiff, to enter the Defendant's grocery store located at 4910 I-55, Jackson, Mississippi 39211 for reasons mutually advantageous to both the Defendant and Plaintiff.

8. On or about October 6, 2018, Plaintiff, Vallena Greer, was grocery shopping lawfully on the property of the Defendant's store located within the geographical boundaries of Hinds County, Mississippi, located at 4910 I-55, Jackson, Mississippi 39211. As a result, Plaintiff was shopping on the premises when suddenly and without warning she slipped and fell in an unknown liquid substance, with no warnings of same, causing Plaintiff to sustain injuries to her neck, back, and right hip.

## COUNT 1- CLAIM FOR PREMISES LIABILITY AGAINST DEFENDANT, KROGER LIMITED PARTNERSHIP, I

9. Plaintiff realleges and reasserts the allegations contained within paragraphs one (1) through eight (8) as if fully set forth herein.

10. At said time and place, Defendant, as owner and/or operator of the store, owed a duty to the Plaintiff to keep the premises in a reasonably safe condition, to warn the Plaintiff of any dangerous conditions not readily apparent of which it knew or should have known in the exercise of reasonable care, to conduct reasonable inspections to discover dangerous conditions existing on the premises, and to correct any such dangerous conditions.

11. At said time and place, Defendant breached these duties to Plaintiff by committing one or more of the following omissions or commissions:

a) Negligently failing to maintain or adequately maintain the floors, thus creating a hazard to members of the public utilizing said premises, including the Plaintiff herein, thus creating an unreasonably dangerous condition for Plaintiff

b) Negligently creating a slip and fall hazard to members of the public utilizing said premises, including the Plaintiff herein, thus creating an unreasonably dangerous condition for Plaintiff;

c) Negligently failing to inspect or adequately inspect the back of the store flooring, as specified above, to ascertain whether the floor, which was poorly maintained, constituted a hazard to patrons utilizing said back of the grocery store area, including the Plaintiff herein, thus creating an unreasonably dangerous condition to the Plaintiff;

d) Negligently failing to inspect or adequately warn the Plaintiff of the danger of the floor, when Defendant knew or through the exercise of reasonable care should have known that said premises' interior flooring was unreasonably dangerous and that Plaintiff was unaware of same;

e) Negligently failing to correct and/or inspect and/or maintain and/or repair and/or adequately correct and/or replace the unreasonably dangerous condition of the floor, when said condition was either known to Defendant or had existed for a sufficient length of time such that Defendant should have known of same had Defendant exercised reasonable care;

f) Negligently failing to have adequate staff on duty and/or assigned to the task of inspecting and/or maintaining the floors for dangerous conditions;

g) Negligently failing to train and/or inadequately training its employees to inspect, maintain, and/or repair the Defendant's premises flooring for dangerous conditions;

h) Negligently failing to follow its own corporate policy(ies) regarding the dangerous condition;

i) Negligently failing to have adequate policies in place to identify dangerous conditions that may have accumulated on the floor despite knowledge of prior slip and falls at the subject location caused by transitory foreign substances or other dangerous conditions that were not timely identified by Defendant's employees and corrected/remedied or for which notice was not given to guests at the premises;

j) Negligently failing to have adequate policies in place to identify and correct dangerous conditions created by a liquid on the floor without any warnings to Plaintiff, that were not timely identified by Defendant's employees and corrected/remedied or for which notice was given to guests at the premises;

k) Negligently failing to act reasonably under the circumstances;

l) Negligently engaging in a mode of operations when Defendant knew, or should have known, that said mode of operations would result in dangerous conditions to the general public, including the Plaintiff herein;

m) Negligently engaging in routine or regular practice of business that was not the reasonable custom of the community;

n) Negligently failing to install, maintain and provide a safe flooring surface within the subject premises;

o) Negligently selecting and/or utilizing flooring that failed to provide a non-slip surface for customers, including the Plaintiff, when, based on Defendant's experience, Defendant knew or should have known spills were likely to occur on the flooring;

p) Negligently selecting and/or utilizing flooring that failed to properly disperse or dissipate liquid substances, acting to make the flooring slick like ice, when, based on Defendant's experience, Defendant knew or should have known spills were likely to occur on the flooring; and

q) Negligently selecting and/or utilizing flooring that failed to tolerate liquid substances and/or moisture, acting to make the flooring slick like ice, when, based on Defendant's experience, Defendant knew or should have known liquid substances and/or moisture were likely to occur on the flooring.

**WHEREFORE, PREMISES CONSIDERED,** the Plaintiff, Sarah Russell, requests a trial by jury and demands damages including actual, compensatory, consequential, and incidental damages, for physical injuries; past, present, and future physical and emotional pain and suffering, past, present, and future medical expenses; and any other special damages that may be incurred by the Plaintiff, together with attorney fees, costs of suit and any further relief as the Court may deem proper.

**COUNT II- CLAIM OF NEGLIGENCE UNDER THE NON-DELEGABLE DUTY DOCTRINE AGAINST DEFENDNAT, KROGER LIMITED PARTNERSHIP, I**

12. Plaintiff reasserts and realleges the allegations contained within paragraphs one (1) through eight (8) as if fully set forth herein.

a) Negligently failing to maintain or adequately maintain the floors, thus creating a hazard to members of the public utilizing said premises, including the Plaintiff herein, thus creating an unreasonably dangerous condition for Plaintiff

b) Negligently creating a slip and fall hazard to members of the public utilizing said premises, including the Plaintiff herein, thus creating an unreasonably dangerous condition for Plaintiff;

c) Negligently failing to inspect or adequately inspect the back of the store flooring, as specified above, to ascertain whether the floor, which was poorly maintained, constituted a hazard to patrons utilizing said back of the grocery store area, including the Plaintiff herein, thus creating an unreasonably dangerous condition to the Plaintiff;

d) Negligently failing to inspect or adequately warn the Plaintiff of the danger of the floor, when Defendant knew or through the exercise of reasonable care should have known that said premises' interior flooring was unreasonably dangerous and that Plaintiff was unaware of same;

e) Negligently failing to correct and/or inspect and/or maintain and/or repair and/or adequately correct and/or replace the unreasonably dangerous condition of the floor, when said condition was either known to Defendant or had existed for a sufficient length of time such that Defendant should have known of same had Defendant exercised reasonable care;

f) Negligently failing to have adequate staff on duty and/or assigned to the task of inspecting and/or maintaining the floors for dangerous conditions;

g) Negligently failing to train and/or inadequately training its employees to inspect, maintain, and/or repair the Defendant's premises flooring for dangerous conditions;

h) Negligently failing to follow its own corporate policy(ies) regarding the dangerous condition;

i) Negligently failing to have adequate policies in place to identify dangerous conditions that may have accumulated on the floor despite knowledge of prior slip and falls at the subject location caused by transitory foreign substances or other dangerous conditions that were not timely identified by Defendant's employees and corrected/remedied or for which notice was given to guests at the premises;

j) Negligently failing to have adequate policies in place to identify and correct dangerous conditions created by a liquid substance on the floor without any warnings to Plaintiff, that were not timely identified by Defendant's employees and corrected/remedied or for which notice was not given to guests at the premises;

k) Negligently failing to act reasonably under the circumstances;

l) Negligently engaging in a mode of operations when Defendant knew, or should have known, that said mode of operations would result in dangerous conditions to the general public, including the Plaintiff herein;

m) Negligently engaging in routine or regular practice of business that was not the reasonable custom of the community;

n) Negligently failing to install, maintain and provide a safe flooring surface within the subject premises;

o) Negligently selecting and/or utilizing flooring that failed to provide a non-slip surface for customers, including the Plaintiff, when, based on Defendant's experience, Defendant knew or should have known spills were likely to occur on the flooring;

p) Negligently selecting and/or utilizing flooring that failed to properly disperse or dissipate liquid substances, acting to make the flooring slick like ice, when, based on Defendant's experience, Defendant knew or should have known spills were likely to occur on the flooring; and

q) Negligently selecting and/or utilizing flooring that failed to tolerate liquid substances and/or moisture, acting to make the flooring slick like ice, when, based on Defendant's experience, Defendant knew or should have known liquid substances and/or moisture were likely to occur on the flooring.

13. At said time and place, Defendant owned, controlled, and/or possessed the business premises.

14. At said time and place, and by virtue of their ownership, control, and/or possession of the premises, Defendant owed Plaintiff a common law non-delegable duty to maintain the premises in a reasonably safe condition.

15. Further, Defendant was negligent through the actions and inactions of it agents, representatives, and/or employees. The negligence of the Defendant includes, but is not necessarily limited to, the following:

a) Failure to adequately inquire into the competence of employees and/or others, if any, that were responsible for maintaining safe conditions in the building, including liquid on the floor;

b) Failure to adequately train and supervise employees and/or others, if any, that were responsible for maintaining safe conditions in the building, including liquid on the floor;

c) Failure to comply with industry standards/regulations and the law of the State of Mississippi; and

d) Other acts of negligence to be shown at the trial of this cause.

16. As a result, Plaintiff was shopping on the premises when suddenly and without warning she slipped and fell in an unknown liquid substance, with no warnings of same, causing Plaintiff to sustain injuries to her neck, back, and right hip.

17. Defendant's breach of these duties proximately caused Plaintiff to suffer serious bodily injury and economic damages, including, but not limited to, the following:

a. past, present, and future physical pain and suffering;

b. past, present, and future medical expenses;

c. past, present, and future loss of enjoyment of life;

d. past, present and future mental and emotional pain and suffering;

e. permanent physical restrictions, limitations, and/or disability;

f. loss of earning;

g. loss of the ability to earn money;

h. aggravation of pre-existing condition; and

i. any other damages allowed by Mississippi law.

## PRAYER OF RELIEF

**WHEREFORE, PREMISES CONSIDERED,** the Plaintiff, Vallena Greer, requests a trial by jury and demands damages including actual, compensatory, consequential, and incidental damages, for physical injuries; past, present, and future physical and emotional pain and suffering, past, present, and future medical expenses; and any other special damages that may be incurred by the Plaintiff, together with attorney fees, costs of suit and any further relief as the Court may deem proper.

RESPECTFULLY SUBMITTED, this the 9th day of June, 2021.

VALLENA GREER, PLAINTIFF

BY: ______________________________
HARRY M. McCUMBER, Esq.

OF COUNSEL:

MORGAN & MORGAN, PLLC
HARRY M. McCUMBER (MSBB#10632)
4450 Old Canton Road, Suite 200
Jackson, Mississippi 39211
Telephone: (601) 718-0921
Facsimile: (601) 503-1650
Email: hmccumber@forthepeople.com

# COVER SHEET

## Civil Case Filing Form

*(To be completed by Attorney/Party Prior to Filing of Pleading)*

Mississippi Supreme Court Form AOC/01
Administrative Office of Courts (Rev 2016)

**Court Identification Docket #** — County #: 25 | Judicial District: 1 | Court ID (CH, CI, CO): CI

**Case Year:** 2021

**Docket Number:** 370

Local Docket ID: ____

Month: 06 | Date: 11 | Year: 21

This area to be completed by clerk

Case Number if filed prior to 1/1/94 ____

In the CIRCUIT Court of HINDS County — FIRST Judicial District

**Origin of Suit (Place an "X" in one box only)**

- [X] Initial Filing
- [ ] Remanded
- [ ] Reinstated
- [ ] Reopened
- [ ] Foreign Judgment Enrolled
- [ ] Joining Suit/Action
- [ ] Transfer from Other court
- [ ] Appeal
- [ ] Other

**Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form**

**Individual** Greer (Last Name) Vallena (First Name) ____ (Maiden Name, if applicable) ____ (M.I.) ____ (Jr/Sr/III/IV)

____ Check ( x ) if Individual Plainitiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
Estate of ____

____ Check ( x ) if Individual Planitiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity
D/B/A or Agency ____

**Business** ____
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

____ Check ( x ) if Business Planitiff is filing suit in the name of an entity other than the above, and enter below:
D/B/A ____

**Address of Plaintiff** ____

**Attorney (Name & Address)** Harry M. McCumber Esq. 4450 Old Canton Rd., Suite 200; Jackson, MS 39211 **MS Bar No.** 10632

____ Check ( x ) if Individual Filing Initial Pleading is NOT an attorney

Signature of Individual Filing: [signature]

**Defendant - Name of Defendant - Enter Additional Defendants on Separate Form**

**Individual** ____ (Last Name) ____ (First Name) ____ (Maiden Name, if applicable) ____ (M.I.) ____ (Jr/Sr/III/IV)

____ Check ( x ) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
Estate of ____

____ Check ( x ) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:
D/B/A or Agency ____

**Business** Kroger Limited Partnership I
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

____ Check ( x ) if Business Defendant is acting in the name of an entity other than the above, and enter below:
D/B/A ____

**Attorney (Name & Address) - If Known** ____ **MS Bar No.** ____

____ **Check ( x ) if child support is contemplated as an issue in this suit.***
*If checked, please submit completed Child Support Information Sheet with this Cover Sheet

**Nature of Suit (Place an "X" in one box only)**

**Domestic Relations**
- [ ] Child Custody/Visitation
- [ ] Child Support
- [ ] Contempt
- [ ] Divorce:Fault
- [ ] Divorce: Irreconcilable Diff.
- [ ] Domestic Abuse
- [ ] Emancipation
- [ ] Modification
- [ ] Paternity
- [ ] Property Division
- [ ] Separate Maintenance
- [ ] Term. of Parental Rights-Chancery
- [ ] UIFSA (eff 7/1/97; formerly URESA)
- [ ] Other ____

**Appeals**
- [ ] Administrative Agency
- [ ] County Court
- [ ] Hardship Petition (Driver License)
- [ ] Justice Court
- [ ] MS Dept Employment Security
- [ ] Municipal Court
- [ ] Other ____

**Business/Commercial**
- [ ] Accounting (Business)
- [ ] Business Dissolution
- [ ] Debt Collection
- [ ] Employment
- [ ] Foreign Judgment
- [ ] Garnishment
- [ ] Replevin
- [ ] Other ____

**Probate**
- [ ] Accounting (Probate)
- [ ] Birth Certificate Correction
- [ ] Mental Health Commitment
- [ ] Conservatorship
- [ ] Guardianship
- [ ] Heirship
- [ ] Intestate Estate
- [ ] Minor's Settlement
- [ ] Muniment of Title
- [ ] Name Change
- [ ] Testate Estate
- [ ] Will Contest
- [ ] Alcohol/Drug Commitment (Involuntary)

- [ ] Alcohol/Drug Commitment (Voluntary)
- [ ] Other

**Children/Minors - Non-Domestic**
- [ ] Adoption - Contested
- [ ] Adoption - Uncontested
- [ ] Consent to Abortion
- [ ] Minor Removal of Minority
- [ ] Other ____

**Civil Rights**
- [ ] Elections
- [ ] Expungement
- [ ] Habeas Corpus
- [ ] Post Conviction Relief/Prisoner
- [ ] Other ____

**Contract**
- [ ] Breach of Contract
- [ ] Installment Contract
- [ ] Insurance
- [ ] Specific Performance
- [ ] Other ____

**Statutes/Rules**
- [ ] Bond Validation
- [ ] Civil Forfeiture
- [ ] Declaratory Judgment
- [ ] Injunction or Restraining Order
- [ ] Other ____

**Real Property**
- [ ] Adverse Possession
- [ ] Ejectment
- [ ] Eminent Domain
- [ ] Eviction
- [ ] Judicial Foreclosure
- [ ] Lien Assertion
- [ ] Partition
- [ ] Tax Sale: Confirm/Cancel
- [ ] Title Boundary or Easement
- [ ] Other ____

**Torts**
- [ ] Bad Faith
- [ ] Fraud
- [ ] Intentional Tort
- [ ] Loss of Consortium
- [ ] Malpractice - Legal
- [ ] Malpractice - Medical
- [ ] Mass Tort
- [ ] Negligence - General
- [ ] Negligence - Motor Vehicle
- [X] Premises Liability
- [ ] Product Liability
- [ ] Subrogation
- [ ] Wrongful Death
- [ ] Other ____

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI**
**FIRST JUDICIAL DISTRICT**

**VALLENA GREER** **PLAINTIFF**

**VS.** **CAUSE NO.:** 21-370

**KROGER LIMITED PARTNERSHIP, I; AND**
**JOHN DOES 1-10** **DEFENDANT**

**SUMMONS**

**STATE OF MISSISSIPPI**
**COUNTY OF HINDS**

TO: KROGER LIMITED PARTNERSHIP, I
Attn: Corporation Service Company
7716 Old Canton Road, Suite C
Madison, Mississippi 39110 or wherever they maybe found.

**NOTICE TO DEFENDANT**

**THE COMPLAINT AND DISCOVERY WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint to Harry M. McCumber, Esq., attorney for the Plaintiff, whose address is MORGAN & MORGAN, PLLC, 4450 Old Canton Road, Suite 200, Jackson, Mississippi 39211. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint. Your written responses to the Discovery which is simultaneously being served with the Complaint must be mailed or delivered within forty-five (45) days from the date of delivery of this Summons and Complaint.

You must also file the original of your responses with the Clerk of this Court within a reasonable time afterward.

Issued, under my hand and the seal of said Court, this 11 day of June, 2021.

CIRCUIT COURT HINDS COUNTY, MISS.

**HONORABLE ZAC WALLACE**
**HINDS COUNTY CIRCUIT CLERK**

By: [signature], D.C

**PROOF OF SERVICE**

TO: Kroger Limited Partnership I
Attn: Corporation Service Company
7716 Old Canton Road, Suite C
Madison, Mississippi 39110 or wherever they maybe found.

I, the undersigned process server, served the Summons/Complaint upon the person or entity named above in the matter set forth below.

_____ **FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE**. By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. form 1B)

_____ **PERSONAL SERVICE**. I personally delivered copies of the Summons/Complaint to ______________________________ on the ______ day of _____________, 20____ where I found said person(s) in ____________________ County of the State of Mississippi.

_____ **RESIDENCE SERVICE**. After exercising reasonable diligence, I was unable to deliver copies to said person within _______________ County, Mississippi. I served the Summons/Complaint on the _______ day of _____________, 20____, at the usual place of abode of said person by leaving a true copy of the Summons and Complaint with _________________________, who is the _________________ (husband, wife, son, daughter, etc.), a member of the family of the person served above the age of sixteen (16) years and willing to receive the Summons and Complaint, and thereafter on the _______ day of ____________, 20____, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

_____ **CERTIFIED MAIL SERVICE**. By mailing to an address outside/inside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused").

At the time of service I was at least 18 years of age and not a party to this action.

NAME: ______________________________________
ADDRESS: _____________________________ _____
_____________________________ _____
TELEPHONE: _________________________________

**STATE OF MISSISSIPPI**
**COUNTY OF ___________________**

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named ______________________________ who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

_________________________________
**Process Server (signature)**

Sworn to and subscribed before me this the _____ day of _______________, 20____.

My Commission Expires:

_________________________________

_________________________________
Notary Public

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI**
**FIRST JUDICIAL DISTRICT**

**VALLENA GREER** — **PLAINTIFF**

**VS.** — **CAUSE NO.:** 21-370

**KROGER LIMITED PARTNERSHIP, I; AND JOHN DOES 1-10** — **DEFENDANT**

**SUMMONS**

**STATE OF MISSISSIPPI**
**COUNTY OF HINDS**

TO: KROGER LIMITED PARTNERSHIP, I
Attn: Corporation Service Company
7716 Old Canton Road, Suite C
Madison, Mississippi 39110 or wherever they maybe found.

**NOTICE TO DEFENDANT**

**THE COMPLAINT AND DISCOVERY WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint to Harry M. McCumber, Esq., attorney for the Plaintiff, whose address is MORGAN & MORGAN, PLLC, 4450 Old Canton Road, Suite 200, Jackson, Mississippi 39211. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint. Your written responses to the Discovery which is simultaneously being served with the Complaint must be mailed or delivered within forty-five (45) days from the date of delivery of this Summons and Complaint.

You must also file the original of your responses with the Clerk of this Court within a reasonable time afterward.

Issued, under my hand and the seal of said Court, this 11 day of June, 2021.

CIRCUIT COURT ★ HINDS COUNTY, MISS. ★

**HONORABLE ZAC WALLACE**
**HINDS COUNTY CIRCUIT CLERK**

By: [signature], D.C

**PROOF OF SERVICE**

TO: Kroger Limited Partnership I
Attn: Corporation Service Company
7716 Old Canton Road, Suite C
Madison, Mississippi 39110 or wherever they maybe found.

I, the undersigned process server, served the Summons/Complaint upon the person or entity named above in the matter set forth below.

_____ **FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE.** By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. form 1B)

_X_ **PERSONAL SERVICE.** I personally delivered copies of the Summons/Complaint to Corporation Service Company on the _14_ day of _July_, 20_21_ where I found said person(s) in _Madison_ County of the State of Mississippi.

_____ **RESIDENCE SERVICE.** After exercising reasonable diligence, I was unable to deliver copies to said person within _______________ County, Mississippi. I served the Summons/Complaint on the _______ day of _____________, 20____, at the usual place of abode of said person by leaving a true copy of the Summons and Complaint with _________________________, who is the _________________ (husband, wife, son, daughter, etc.), a member of the family of the person served above the age of sixteen (16) years and willing to receive the Summons and Complaint, and thereafter on the _______ day of ____________, 20____, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

_____ **CERTIFIED MAIL SERVICE.** By mailing to an address outside/inside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused").

At the time of service I was at least 18 years of age and not a party to this action.

NAME: Eagle Eye Investigations &
ADDRESS: Security,LLC
P.O. Box 1085 Terry, Ms. 39170
TELEPHONE: 601-291-2321

**STATE OF MISSISSIPPI**
**COUNTY OF** _Hinds_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named _Natalie Renard_ who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

Natalie Renard
**Process Server (signature)**

Sworn to and subscribed before me this the _15_ day of _July_, 20_21_.

My Commission Expires:

_______________________

STATE OF MISSISSIPPI
JIMMY R. PACE
NOTARY PUBLIC
ID No. 118155
Commission Expires
November 1, 2024
HINDS COUNTY

Jimmy R Pace
Notary Public